

Statement of Brian T. Lynch, O.D.  
before the  
Public Health Committee  
in support of HB 5811  
March 10, 2008

Sen. Handley, Rep. Sayers and members of the committee:

My name is Brian Lynch. I am an optometrist practicing in Branford for 26 years. I currently serve as the legislative chairman for the Connecticut Association of Optometrists. I am appearing before you today in support of House Bill 5811, ***An Act Concerning Therapeutic Contact Lenses.***

All healthcare providers practice legislated professions. That is to say, the manner in which we practice and how we care for patients is defined by statute. These statutes are constructed by the General Assembly based on public safety and need, provider training and current technologies. As these factors change, we periodically find ourselves in need of “tweaking” the statutes to address advances in healthcare.

House Bill 5811 speaks to one of these advances. Currently, optometrists are prohibited from supplying their patients with more than a 72-hour supply of the medicines they may already prescribe. These typically are the small “samples” that you are all familiar with.

Johnson & Johnson has combined a contact lens with an over-the-counter anti-allergy eyedrop. This represents a breakthrough in treating allergy symptoms and vision problems simultaneously. There is a problem, however. Pharmacies in Connecticut cannot sell contact lenses. Since optometrists cannot dispense more than a 72-hour supply of a drug, where will the patient be able to obtain this new product? The answer is only one place—an ophthalmologist’s office.

This is not a “scope of practice” issue. The FDA, years ago, approved this medication. That is why it is now available over-the-counter. Very soon, they are expected to approve its use in a contact lens. This now becomes a distribution issue. How will patients be able to access this product? Limiting access is not good policy. Please support HB 5811 to give patients the range of choice they are entitled to have in obtaining these revolutionary products.

I appreciate your consideration of this legislation, and I would be happy to answer any questions you might have. Thank you.

(f) No licensed optometrist authorized pursuant to this section to practice advanced optometric care shall dispense controlled substances under schedules II, III, IV and V or under section 21a-252, to any person except (1) for contact lenses, prescribed pursuant to this section, that provide vision correction and contain a therapeutic drug agent approved by the federal Food and Drug Administration or (2) unless no charge is imposed for such substances and the quantity dispensed does not exceed a seventy-two-hour supply, except if the minimum available quantity for [said] such agent is greater than a seventy-two-hour supply, the optometrist may dispense the minimum available quantity.